



Department of Justice

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Middle District of Florida

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MAN SENTENCED FOR DAMAGING THE OCALA NATIONAL FOREST

Tampa, FL- U.S. Attorney Robert E. O'Neill announces that U.S. District Judge William Terrell Hodges today sentenced Kevin T. Montgomery (age 44, formerly of Altoona) to 18 months in federal prison for destruction of government property, specifically a parcel of the Ocala National Forest. As part of his sentence, the court also ordered Montgomery to pay \$200,000 in restitution, to reimburse the United States Forest Service for remediation and restoration of the forest land. Montgomery pleaded guilty pursuant to a plea agreement on August 30, 2010.

According to court documents, from 2004 to January 2007, when Montgomery resided in the Shockley Heights subdivision of Altoona, Florida, he engaged in various activities that damaged an adjacent section of the Ocala National Forest. Montgomery owned an excavating business and used heavy equipment from that business to carry out some of the activities, including clearing bushes and trees and digging large pits in the forest floor. Montgomery parked inoperable vehicles on Forest Service property adjacent to his residence. He worked on these vehicles while they were parked in the Forest, including changing engine oils and other fluids. While Montgomery was carrying out these activities, he damaged and destroyed vegetation, including, among other things, grasses,

shrubs, and trees. Montgomery also buried refuse and car parts, including car batteries and the frame of an Econoline Van, in large holes he dug in the Forest Service property. On several occasions, Montgomery conducted his digging and burying operations at night. In or about May 2007, Montgomery removed certain items from the Forest and conducted grading and leveling operations on Forest Service property after he learned that law enforcement officers were investigating his activities.

On November 6, 2008, the United States Forest Service excavated an area of the Forest approximately 82 feet long, 15 feet wide, and 6-8 feet deep, where it was believed that large items were buried. Investigators removed a total of over 5,000 pounds of refuse from the pit, including the frame of an Econoline van, a variety of vehicle parts (bumper, oil filter, lead acid battery), two sinks, a shower pan, a propane stove, carpets, seat cushions, a toilet, sheet aluminum, and copper tubing.

Beginning in June 2007 and October 2008, the Florida Department of Environmental Protection and the United States Forest Service collected soil and water samples from the area of the Forest damaged by Montgomery. These tests revealed that levels of certain pollutants were above the target cleanup levels specified by Florida law. Subsequent groundwater testing, however, has also revealed that these pollutants have not migrated beyond the area of the damage.

This case was investigated by United States Forest Service, Department of Agriculture. It is being prosecuted by Assistant United States Attorney Cherie L. Krigsmann and Department of Justice, Environmental Crimes Section, Trial Attorney Lana N. Pettus.